

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

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U.S. DISTRICT COURT, CHARLESTON, SC

2009 SEP 15 A 8:14

Abdul Hadi Shabazz, #265926,  
*a/k/a Wallace Shelton Grant,*

Plaintiff,

v.

Chaplain Sherman, Broad River  
Institution; Robert M. Severson, III,  
Warden; Director John Ozmint, South  
Carolina Department of Corrections,

Defendants.

Civil Action No. 0:08-3563-SB

**ORDER**

This matter is before the Court upon the Plaintiff's *pro se* complaint, which was filed pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.

On June 10, 2009, the Defendants filed a motion for summary judgment, and on June 11, 2009, the Magistrate Judge issued an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising the Plaintiff of the summary judgment procedures and the possible consequences if he failed to respond to the motion. Notwithstanding the Magistrate Judge's instruction, the Plaintiff failed to respond, and therefore, on July 20, 2009, the Magistrate Judge issued a second order giving the Plaintiff an additional fifteen days to respond to the Defendants' motion. The Plaintiff was warned that if he failed to respond, the Magistrate Judge would recommend that the case be dismissed for failure to prosecute. When the Plaintiff failed to respond, the Magistrate Judge issued a report and recommendation ("R&R"), dated August 13, 2009, recommending that the Court dismiss the Plaintiff's complaint for lack of prosecution. Attached to the R&R was a notice advising

the parties of the right to file specific, written objections to the R&R within 10 days of the date of service of the R&R. To date, no objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, there are no portions of the R&R to which the Court must conduct a de novo review. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this Court, and it is

**ORDERED** that the Plaintiff's complaint is dismissed with prejudice for lack of prosecution. Fed. R. Civ. P. 41(b).

**IT IS SO ORDERED.**

  
The Honorable Sol Blatt, Jr.  
Senior United States District Judge

September 14, 2009  
Charleston, South Carolina

